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PATENT  
Attorney Docket No.: 463037-00048/RFT/RMS/RMK  
Attorney File No.: A-63761-7/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

**MAR 30 2004**

**OFFICE OF PETITIONS**

In re Application of:

Kayyem, *et al.*

Serial No. 10/081,936

Filed: February 20, 2002

For: ELECTRODES LINKED VIA  
CONDUCTIVE OLIGOMERS TO  
NUCLEIC ACIDS

Examiner: To Be Assigned

Group Art Unit: 1631

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:  
Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Dated: 3/26/04

Signed: [Signature]  
Steve Lendaris

**RENEWED PETITION UNDER 37 C.F.R. § 1.78(a)(2):  
TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER 35 U.S.C. 120  
FOR THE BENEFIT OF A PRIOR FILED APPLICATION**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby Petition to accept a delayed claim under 35 U.S.C. §120 for the benefit of the filing date of U.S. Non-Provisional Application Serial Number 10/081,936, filed February 20, 2002 entitled "ELECTRODES LINKED VIA CONDUCTIVE OLIGOMERS TO NUCLEIC ACIDS." This Renewed Petition is submitted within two months of the mailing date of a Decision on a Petition under 37 CFR 1.78(a)(3). Accordingly, this Renewed Petition is timely filed.

This Renewed Petition is accompanied by a substitute amendment to correct the reference in the application to the Non-Provisional Application Serial Number 10/081,936 and an Application Data Sheet, as required by 37 CFR §1.78(a)(2)(iii).

The original Petition was accompanied by a check for the necessary surcharge set forth in 37 CFR §1.17(t), \$1,300.00. Applicants respectfully request that the prior payment of the surcharge set forth in 37 CFR §1.17(t) be applied to the current Renewed Petition.

The entire delay between the date the claim was due under paragraph of 37 CFR §1.78(a)(2)(ii) and the date the claim was filed was unintentional.

Applicants hereby request the priority claim of the subject application be amended to state the following:

This application is a continuation of U.S. Serial No. 08/873,978, filed June 12, 1997, pending; which is a continuation-in-part of U.S. Serial No. 08/743,798, filed September 5, 1996, issued August 1, 2000 as U.S. Patent 6,096,273.

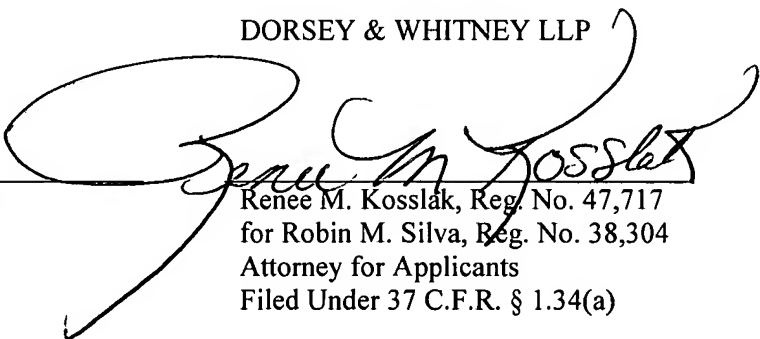
While Applicants believe that no further fees are due at this time, the Commissioner is authorized to charge any fees that may be due as a result of filing this amendment, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 463037-00048 (A-63761-7/RFT/RMS/RMK)).

Respectfully submitted

DORSEY & WHITNEY LLP

Dated:

3/26/04  
Customer No. 32940

  
Renee M. Kosslak, Reg. No. 47,717  
for Robin M. Silva, Reg. No. 38,304  
Attorney for Applicants  
Filed Under 37 C.F.R. § 1.34(a)

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Suite 3400  
San Francisco, CA 94111-4187  
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Steve Lendaris

**SUBSTITUTE PRELIMINARY AMENDMENT**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Substitute Preliminary Amendment accompanies the filing of a Renewed Petition under 37 CFR 1.78(a)(3). Although the Applicants do not believe any additional fees are required, the Commissioner is authorized to charge any additional fees, including extension fees or other relief, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 463037-00048 (A-63761-7/RFT/RMS/RMK)).

**In the Specification:**

Please replace the paragraph beginning at page 1, line 6, with the following rewritten paragraph marked to show changes made:

--This application is a ~~continuation-in-part~~ continuation of U.S. Serial No. ~~09/464,490, filed December 15, 1999,~~ 08/873,978, filed June 12, 1997, pending; which is a continuation-in-part of U.S. Serial No. 08/743,798, filed November 5, 1996, issued August 1, 2000 as U.S. Patent 6,096,273 ~~which is~~ incorporated herein by reference.--

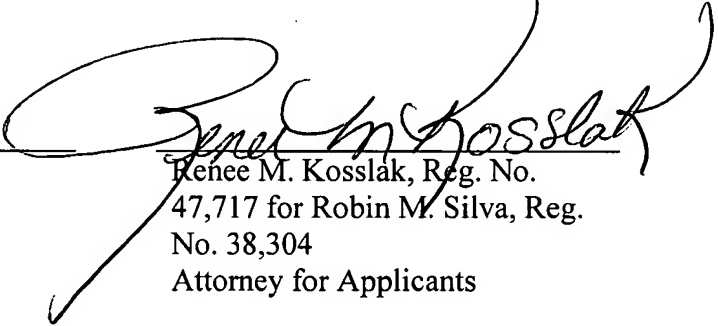
While Applicants believe the amendments presented above resolve all issues presented in the Decision on a Petition under 37 CFR 1.78(a)(3) mailed February 14, 2004, the Examiner is invited to call the undersigned with any questions or concerns at (415) 781-1989.

Respectfully submitted

DORSEY & WHITNEY LLP

Dated:

3/26/04

  
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47,717 for Robin M. Silva, Reg.  
No. 38,304  
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